

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
JULY 2, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: Larry M. Medina. Meeting was called to order and the invocation was given by Pastor Charlie Flores, Calvary Chapel of El Paso, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

1. Texas Head Start Days - July 8-12
2. Presentation of Retirement Plaque and Conquistador Award to Carole Hunter, City Clerk.

NOTE: Proclamation #1 was revised to read Texas Head Start Days - July 8-12

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No action was taken regarding the report from Ms. Emma Acosta, Deputy Director of Solid Waste Management.

Ms. Emma Acosta, Deputy Director of Solid Waste Management, discussed the duties and responsibilities of the Solid Waste Management Department. She introduced members of her staff present at the City Council meeting and thanked these staff members for their hard efforts.

Representative Power thanked Ms. Acosta and her Department as they provide a vital service to the City. He requested that members of the Solid Waste Department write down addresses where obvious violations of the City Code exist.

Ms. Acosta explained that the Building Services Department, and in some instances the Police Department, assist the department where violations of the City Code have occurred.

Representative Power noted that other cities utilize very oppressive fines and/or convince the public to maintain their properties, in matters where individuals have violated the code(s).

Ms. Acosta noted that the department receives numerous requests for property clean-ups, to include placing liens on properties; however, many times these liens are not paid.

Representative Power asked that during the upcoming budget hearings, Ms. Acosta address ways in which the Solid Waste Management Department might focus on this issue, to include increasing the fines.

Mayor Raymond C. Caballero stated that the employees of the Solid Waste Management Department are very community oriented and take great pride in El Paso. He noted that the current Council Administration has been very diligent in the matter of cleaning and keeping El Paso clean, most particularly the streets which have improved the quality of life and health of its many citizens. He thanked Ms. Acosta and her employees for their continued diligent service to the community.

Representative Cobos questioned the number of residents currently receiving automated trash pickup service.

Ms. Acosta remarked that 75% of the City's residents were involved in the automated trash pickup service and noted that by the end of August, 2002, all City residents would be receiving such service.

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Motion made by Representative Sumrall, seconded by Representative Escobar, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

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*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of Regular City Council Meetings of April 23 and May 14, 2002.

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*Motion made, seconded and unanimously carried to excuse Representative Medina from the Regular Council Meeting of July 2, 2002.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **CRUZ HERNANDEZ** to assist the Information Technology Department at a biweekly rate of \$1,080.00 for 40 hours per week. The term of the contract shall be for the period of June 30, 2002 through June 29, 2004. This contract is subject to the approval of the Civil Service Commission.

Representative Cobos questioned why a resume was not included in the backup material(s). He understood the City of El Paso was an Equal Opportunity Employer and felt that the process was being circumvented. He suggested that resumes be included in all contracts which are placed on the City Council Agendas.

Ms. Terry A. Bond, Director of Personnel, explained that due to the fact that this Personal Services Contract was a renewal, a resume was not included in the backup material and noted Mr. Hernandez was currently employed by the Library Department rather than the Information Technology Department.

Representative Cobos questioned Ms. Rita Rodriguez, City Attorney, whether the City of El Paso was in any violation of any EEOC laws or rules. He remarked that it was important that individuals receiving Personal Services Contracts were not "associates, acquaintances and/or friends" of elected officials.

Ms. Rodriguez responded that the City was not circumventing the Equal Opportunity Employment laws.

Representative Sumrall explained, for public information, the origin of the Personal Services Contracts for the Information Technology Department.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the position was under the Information Technology Department; however, the employee reported to the Library Director. He established that Mr.

Hernandez was not a friend of any member of City Council. Mr. McNabb reiterated that in order for the City of El Paso to maintain its computer technology personnel for the Information Technology Department, the Personal Services Contracts were initiated. He explained that for the positions in the Information Technology Department, the City advertises all positions and interviews to multiple individuals; however, these positions do not fall under the Civil Service Commission.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Air Cargo Center Agreement between the City of El Paso and Integrated Airline Services, Inc. effective July 1, 2002 to lease office, warehouse, and ground service equipment space at the Airport's cargo facility located at 501 George Perry Blvd., Suite B, El Paso, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the actions of the Mayor in signing the Interlocal Collaborative Agreement ("the Agreement") and Grant Application for the Discovery DI5 Project to upgrade the Orion Fiber Optic cable and support equipment are hereby ratified. Collaborative partners under the Agreement will include the El Paso Public Library, the El Paso Community College, the University of Texas at El Paso, the El Paso Independent School District, and the Region XIX Education Service Center. The Grant Application will be submitted to the Telecommunications Infrastructure Fund Board on behalf of the City of El Paso and the other collaborative partners requesting a grant in the amount of \$598,584.00 (matching funds of \$74,058.00 will be provided from the El Paso Independent School District through in-kind services; no matching funds are requested from the City of El Paso); and

That the Mayor be authorized to execute, on behalf of the City of El Paso, any Grant Agreements and corresponding agreements with the collaborative partners, provided that no additional City funds are required, for the grant amount requested or for such lesser amount as may be approved by the Telecommunications Infrastructure Fund Board.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Joint Use Resolution/Agreement between the City of El Paso and the El Paso Water Utilities Public Service Board pertaining to the installation of a water line as part of the "Airway Boulevard Improvements Project to be installed within a portion of land out of Tract 4A-27, Block 2, Ascarate Grant, El Paso County, Texas.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount allowed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
426 Val Verde Street	\$266.30	\$29.80	\$296.10

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
2900 Block George Dieter	\$663.66	\$536.94	\$1,200.60

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the following Housing Rehabilitation application and funding be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved application.

Application No.: H02-05-CD/IO/MP-0317	HOME Loan:	\$ 272,400.00
	HOME Grant:	\$ 45,600.00
	Total:	\$ 318,000.00

Address: 6806 Alameda Avenue
Interest at zero percent (0%)

AND THAT the Mayor be authorized to sign a HOME Financial Terms Contract between the City and Jose and Antonia De La Rosa, and a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power of Sale) between the City, Medsons Construction Ltd. Co., and Jose and Antonia De La Rosa, relating to a Community Development Rehabilitation Loan Application No. H02-05-CD/IO/MP-0317.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to sign the loan agreement for the exhibition *José Guadalupe Posada: My Mexico*, on behalf of the City of El Paso:

The exhibition was organized by the University of Hawaii and will be held at the El Paso Museum of Art from June 15 – September 7, 2003. The cost will be \$2,000.00 for rental of the exhibition and an estimated cost of \$3,000.00 for insurance and transportation. An application for a grant in the amount of \$3,800.00 from the Texas Commission on the Arts is currently pending. Such grant, if approved, would offset a portion of the costs of the exhibition.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event:	Reception
Licensee:	American Planning Association-Texas Chapter
Date:	October 2, 2002
Time:	6:00 - 8:00 p.m.
Charge for Space:	\$1,500.00
Charge for Staff (est.):	\$400.00
Charge for Insurance:	\$150.00
Area(s):	Special Events

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Special Event Contract between the City of El Paso, on behalf of the Parks and Recreation Department, and the El Paso Central Business Association/ El Paso Downtown Management District authorizing the use of the San Jacinto Plaza on October 5, 2002, for the Texas Avenue Downtown Festival.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

ARMIJO RECREATION CENTER – SUN COUNTRY CDBG

DEPARTMENT ID: 51150056, ACCOUNT: 502214, PROJECT: 7127CD,
FUND: 10017

1. CONTRACTOR: Amanda Morales, Theater Production Instructor-Fiesta Caliente
DATES: June 26, 2002, thru August 2, 2002
RATE PER CL: \$6.00
MAXIMUM AMT: \$1,080.00
CONTRACT: 2001/2002-186

ARMIJO RECREATION CENTER

DEPARTMENT ID: 51510065, ACCOUNT: 502214

2. CONTRACTOR: Daniel Morales, Assistant Art Instructor-Fiesta Caliente
DATES: June 26, 2002, thru August 2, 2002
RATE PER CL: \$6.00
MAXIMUM AMT: \$1,080.00
CONTRACT: 2001/2002-187

ARMIJO RECREATION CENTER – SUN COUNTRY CDBG

**DEPARTMENT ID: 51150056, ACCOUNT: 502214, PROJECT: 7127CD,
FUND: 10017**

3. CONTRACTOR: Minerva Morales, Theater Production Director-Fiesta Caliente
DATES: June 26, 2002, thru August 2, 2002
RATE PER CL: \$13.00
MAXIMUM AMT: \$2,600.00
CONTRACT: 2001/2002-188
4. CONTRACTOR: Norma Yee, Dance Instructor–Fiesta Caliente
DATES: June 26, 2002, thru August 2, 2002
RATE PER CL: \$6.00
MAXIMUM AMT: \$1,080.00
CONTRACT: 2001/2002-189
5. CONTRACTOR: Sarah Piña, Dance Instructor–Fiesta Caliente
DATES: June 26, 2002, thru August 2, 2002
RATE PER CL: \$6.00
MAXIMUM AMT: \$1,080.00
CONTRACT: 2001/2002-190

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

GALATZAN RECREATION CENTER

DEPARTMENT ID: 51510131, ACCOUNT: 502215

1. CONTRACTOR: Maria A. Renteria, Officials Youth Basketball League
DATES: July 15, 2002, thru August 31, 2002
RATE PER GM: \$21.00
MAXIMUM AMT: \$483.00
CONTRACT: 2001/2002-191

NORTHEAST RECREATION CENTER
DEPARTMENT ID: 51510107, ACCOUNT 502214

2. CONTRACTOR: Ramsey Armstrong, Gymnastics Instructor/Power Tumbling
DATES: July 9, 2002, thru August 29, 2002
RATE PER CL: \$20.00
MAXIMUM AMT: \$400.00
CONTRACT: 2001/2002-192

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS
DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Fredo Alejandre, Pool Attendant, Step 1
DATES: June 13, 2002 thru September 30, 2002
RATE PER HR: \$5.40
CONTRACT NO: 2001/2002-344
2. CONTRACTOR: Alexander M. Berroteran, Swim Instructor, Step 1
DATES: May 31, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-345
3. CONTRACTOR: Kevin A. Berroteran, Swim Instructor, Step 1
DATES: May 31, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-346
4. CONTRACTOR: Mayra M. Cobos, Swim Instructor, Step 1
DATES: June 11, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-347
5. CONTRACTOR: Christopher A. Gonzalez, Lifeguard, Step 2
DATES: June 03, 2002 thru September 30, 2002
RATE PER HR: \$6.00
CONTRACT NO: 2001/2002-348

6. CONTRACTOR: Jacob W. Heller, Swim Instructor, Step 1
DATES: June 13, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-349
7. CONTRACTOR: Monica Juarez, Pool Attendant, Step 1
DATES: June 13, 2002 thru September 30, 2002
RATE PER HR: \$5.40
CONTRACT NO: 2001/2002-350
8. CONTRACTOR: Andres N. Murillo, Lifeguard, Step 2
DATES: May 15, 2002 thru September 30, 2002
RATE PER HR: \$6.00
CONTRACT NO: 2001/2002-351
9. CONTRACTOR: Diego I. Natera, Swim Instructor, Step 1
DATES: June 13, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-352
10. CONTRACTOR: Jose Ornelas, Swim Instructor, Step 1
DATES: June 14, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-353
11. CONTRACTOR: Ryan K. Quagliato, Lifeguard, Step 2
DATES: June 04, 2002 thru September 30, 2002
RATE PER HR: \$6.00
CONTRACT NO: 2001/2002-354
12. CONTRACTOR: Caroline M. Parris, Lifeguard, Step 2
DATES: June 11, 2002 thru September 30, 2002
RATE PER HR: \$6.00
CONTRACT NO: 2001/2002-355
13. CONTRACTOR: Sonai Perez, Swim Instructor, Step 1
DATES: June 07, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-356
14. CONTRACTOR: Marcos A. Salas, Swim Instructor, Step 1
DATES: June 14, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-357
15. CONTRACTOR: Sirena F. Sanchez, Swim Instructor, Step 1
DATES: June 13, 2002 thru September 30, 2002
RATE PER HR: \$5.35
CONTRACT NO: 2001/2002-358

NOTE: Resolution was revised to read:

11. CONTRACTOR: Ryan K. Quagliato, Lifeguard, Step 2
DATES: June 04, 2002 thru September 30, 2002

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **VERONICA ESCOBAR** to develop effective relationships with the media and to provide information to the public on city programs, projects, events and city government at a biweekly rate of Two Thousand One Hundred and Fifteen dollars and 38/100 dollars (\$2115.38). The contract period shall be from July 27, 2002 through July 26, 2003. This contract is subject to the approval of the City's Civil Service Commission.

Representative Sariñana questioned why the position was created, where the monies were coming from to pay for such position, and finally, was this position really necessary.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the City had established the position; however, at a half time rate of 20 hours per week. He noted that with this Resolution, Ms. Escobar would be employed at 40 hours per week. He stated the many duties Ms. Escobar accomplishes such as: press releases, compiling briefing papers for Congressional staffers on behalf of the City, etc. He stated that other City Departments currently utilize a "Public Information Officer/Public Information Office"; however, no such office exists for City business. He explained that among Ms. Escobar's existing duties, he would task her to collect data from other cities' Public Information Officer's offices, City Manager's offices and Mayor's offices throughout the Southwest in order that such an office might be created for El Paso, in the budget year 2004. He explained that Ms. Escobar would be compiling data to incorporate in an "Annual Report" for the City of El Paso. He explained that in order for El Paso to compete with other cities in Texas, it would be necessary to spend monies on staff to leverage monies from Austin and Washington. He commented on the City's need for an "Intergovernmental Relations" position and explained that the position would establish relationships with legislators at the State and Congressional levels and other agencies to represent the City. He commended Ms. Escobar on her abilities and accomplishments and supports raising her time and fee. He noted that this position would be established for approximately one year. He explained that Ms. Escobar was not initially hired under the Civil Service Commission but was hired under contract as a member of the Mayor's staff. He explained that the position had come before the Civil Service Commission and it was decided the City would fill the position under a Personal Services contract.

Representative Cook was not opposed to expanding Ms. Escobar's contract; however, he questioned whether the City currently employed lobbyists on the City's behalf.

Mr. McNabb responded that yes the City employed lobbyists; however, lobbyists do not really understand the operations of the City. He stated that the "Intergovernmental Relations" individual would direct the lobbyists' activities in more detail.

Mayor Raymond C. Caballero explained that he was able to provide a professionally compiled presentation to Senator Kay Bailey Hutchinson during her recent visit to El Paso due to the efforts of Ms. Escobar.

Representative Power questioned whether Ms. Escobar was hired as a member of the Mayor's staff that subsequently led to her current position, Information Officer.

Mr. McNabb remarked that Ms. Escobar was hired as a member of the Mayor's staff; however, he expanded the duties and responsibilities further. He noted that the position was not advertised publicly. He explained that in other cities there exists a Public Information Officer who reports to a City Manager, in addition to a Mayor's Press Secretary. He stated that the position had been approved by the Civil Service Commission previously and would appear on the Civil Service Commission July 11, 2002, agenda for the expanded contract.

Mayor Caballero noted that Ms. Escobar had compiled a pool of resumes for Council Representatives in order to find qualified individuals for Commissions and Committees. He stated that Ms. Escobar had offered her services to all Council Members in the past and stated that Ms. Escobar was available to Council Members at any time.

Mr. McNabb described Ms. Escobar as very enthusiastic and would assist the Council Members as needed; however, it might be difficult to work for nine bosses.

Representative Power suggested creating a Public Information Officer for the City to be utilized by both the legislative and executive branches.

Mr. McNabb reiterated that the City would be creating a Public Information office, to be a Civil Service position, which would include all satellite Public Information Officers, Graphic Artists in order to centralize and consolidate the office.

Representative Sumrall noted that she held such a position previously and remarked Ms. Escobar works far above what her position duties entail. She discussed the publications composed by Ms. Escobar and noted that copies of the publications would be made available to Council Members when traveling out-of-town.

Mr. McNabb clarified that Ms. Escobar would assist in the creation of the Public Information Officer office.

Mayor Caballero explained that other City Departments utilize a Public Information Officer; however, such position did not exist specifically for the City itself.

Representative Sumrall suggested that all Council Members receive Press Release emails.

Mr. McNabb would see that the Council Members receive Press Release emails.

Mayor Caballero remarked that each City Department contributed to his "State of the City" address and stated that these publications were very informative.

Representative Cobos questioned why Ms. Escobar's resume was not a part of the backup material. He questioned why other applicants were not considered for the position currently held by Ms. Escobar and stated that Ms. Escobar was rewarded her position due to her affiliation with the Mayor during his campaign. He stated emphatically that the Civil Service process was circumvented and thought the public would perceive this appointment as erroneous.

Mr. McNabb apologized profusely and stated that he would provide such document to Representative Cobos. He responded to Representative Cobos' comments and explained all City staff members must comply with the Political Activity rules of the Civil Service Commission. He explained to the Council that some positions should be filled through a contract; however, every contract must be presented before the Civil Service Commission.

Representative Escobar explained that Ms. Escobar was his second cousin and there was not a conflict of interest. He took exception to Representative Cobos' comments regarding Ms. Escobar's appointment due to who she knew, not what she knew. He stated Ms. Escobar had received a Master's degree from New York University and instructs at the University of Texas at El Paso. He stated Ms. Escobar never ceases to do City work even when she's not in her office. He asked Council Members to support Ms. Escobar and the position.

Mr. Leopoldo Sierra, citizen, made comments.

Motion made by Representative Power, seconded by Representative Sumrall and carried to approve the above Resolution.

Representative Escobar abstained from the vote.

Representative Sariñana and Representative Cobos voted Nay.

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*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Guard (1)

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for City Attorney's Office

Delete	2.0	Part-Time Prosecutor	AP
Add	1.0	Assistant City Attorney	AP

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Police

Add	1.0	Police Records Specialist II	GS13
Delete	1.0	Police Records Specialist I	GS11

Add	1.0	Police Officer	P2
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Delete	1.0	Police Officer	P2
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Add	2.0	Police Officer	P2
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Delete	2.0	Police Officer	P2
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*Motion made, seconded and unanimously carried to approve the request from Rafael H. Gomez, of the Mass Transit Department for Special Sick Leave.

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*Motion made, seconded and unanimously carried to postpone one (1) week the appointment of Alejandro Lozano to the Greater El Paso Civic, Convention and Tourism Board by Representative Cook.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- *Motion made, seconded and unanimously carried to award Bid No. 2002-186 Skateboard Park Equipment for Dick Shinaut Park

The Parks & Recreation and Purchasing Departments recommend award, as indicated, to the best value procurement.

*Motion made, seconded and unanimously carried to award Bid No. 2002-168 Oxygen Services

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Department: Fire
Funds available: 22010319-01101-503112
Funding source: General Fund, Fire Department
Total award: \$50,000.00 (estimated)

The Fire Department and Purchasing recommend award as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a thirty-six (36) month contract with the option to extend the contract for one (1) additional year.

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*Motion made, seconded and unanimously carried to approve budget transfer BT2002-811 PUBLIC WORKS/OMB

Establishing appropriation for installation of HVAC system at Westside Health Center.

Increase	\$60,000	to	31131001/P50148827061/407002	Est Rev
Increase	\$60,000	to	31131001/P50148827061/508027	Construction

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*Motion made, seconded and unanimously carried to approve the request of Spirit Life Christian Center to use amplification (2 microphones, 4 speakers) at Album Park on July 13, 2002 from 2:00 p.m. to 5:00 p.m. Approximately 10 persons will use amplification and 50 spectators are anticipated. PERMIT NO. 02-074

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*Motion made, seconded and unanimously carried to approve the request of Border Network for Human Rights to use amplification (10 speakers & microphones) at Armijo Park on July 26 and July 27, 2002 from 3:00 p.m. to 9:00 p.m. Approximately 20 persons will use amplification and 200 spectators are anticipated. PERMIT NO. 02-075

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Motion made, seconded and unanimously carried to move to the Regular Agenda the parade request of Rim-University Neighborhood Association to block off Rim Road between Kerbey and St. Vrain on July 4, 2002 from 10:00 a.m. to 12:00 p.m. for a parade.

Representative Sumrall asked if Ms. Risher Gilbert, President of the Rim Area Neighborhood Association, would elaborate on the event.

Ms. Gilbert explained that this was the first 4th of July parade for the Neighborhood Association and elaborated as to the parade route, elements of the parade, etc. She invited all El Pasoans to the event.

Representative Sariñana questioned the estimated \$200.00 cost to the City.

Commander Cliff Walsh, El Paso Police Department, explained the "no cost to the applicant" as based on a formula approved by City Council many years ago, which states the first four officers in vehicles would constitute no charge.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the request of Rim-University Neighborhood Association to block off Rim Road between Kerbey and St. Vrain on July 4, 2002 from 10:00 a.m. to 12:00 p.m. for a parade. Approximately 100 persons and 10 animals will take part and 30 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 02-080

Representative Escobar was not present for the vote.

*Motion made, seconded and unanimously carried to approve the request of Joe Rodriguez/Parks & Recreation to block off Glenwood between Webster and Tamburo on July 4, 2002 from 4:30 p.m. to 8:30 p.m. for a block party. Approximately 250 persons will take part. This request includes permission to use amplification (30-watt amplifier). Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 02-081

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ORDINANCE 15138

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS), ARTICLE II. DEFINITIONS, SECTION 20.02.602 (POSTER) TO AMEND THE DEFINITION OF POSTER; CHAPTER 20.66 (SIGNS), ARTICLE II, ADMINISTRATION, SECTIONS 20.66.080 (PERMIT REQUIRED), 20.66.090 (APPLICATION PROCEDURE), 20.66.100 (SIGN PERMIT FEE FORMULA), 20.66.130 (PROHIBITED SIGNS) OF THE EL PASO MUNICIPAL CODE TO ADD REQUIREMENTS FOR PERMITS FOR THE REMOVAL OF BILLBOARDS; AND AMENDING ARTICLE III, OFF-PREMISE SIGN REGULATIONS, SECTIONS 20.66.190 (ZONING DISTRICTS), 20.66.200 (SIZE AND HEIGHT), 20.66.210 (SETBACK REQUIREMENTS), 20.66.220 (SPACING), AND 20.66.230 (SPECIAL CONTROL AREAS) OF THE EL PASO MUNICIPAL CODE TO AMEND THE REGULATION STANDARDS FOR OFF-PREMISE SIGNS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 (PENALTY) OF THE MUNICIPAL CODE.**

Mr. Terry Williams, Deputy Director of Building Services, presented Council Members with a PowerPoint presentation and elaborated on the recommendations made by the Building and Zoning Advisory Committee. He noted the new sizes of the billboards and clarified the "cap and exchange" program.

Representative Sumrall questioned whether a proposal had been suggested whereas when a billboard(s) was taken down, there would not be a replacement for it so as to eventually phase out billboards.

Mr. Williams responded that neither the BZAC nor staff had made any such proposal/recommendation at this time. He noted that the DCC (Development Coordinating Committee) recommended approval of the Ordinance without the Retroactive Provision; however, CPC (City Plan Commission) voted 5-0 to approve the Ordinance with the inclusion of the Retroactive Provision.

Representative Power questioned Mr. Williams on whether a billboard company may exchange a smaller sized billboard for a "bulletin" billboard and questioned the possibility of a company removing its smaller sized or "pony" billboards and replacing them with large billboards, adding more billboard clutter on the freeways and thoroughfares.

Mr. Williams responded the result would be fewer billboards as the result would be fewer smaller sized billboards; however, the possibility may exist whereas more of the larger sized "bulletin" billboards would be added to freeways/thoroughfares. He explained that in order to prevent more "bulletin" sized billboards from appearing on the freeways/thoroughfares was to reduce the number of billboards, for example if a company would remove several of their smaller sized billboards, a larger sized billboard would take its place.

Mr. Doak Hoover, Clear Channel Outdoor formerly known as Eller Media Company, presented Council Members with a slide presentation and discussed how the new ordinance would affect his company. He stated the Ordinance was unfair as it limits the free enterprise system. He noted that the City had lost monies during the permit "freeze" and disagreed with the "cap and replace" program.

Mr. Eddie Reardon, Boxer Outdoor, stated that the Ordinance would "absolutely kill" the competitiveness of the billboard industry. He noted that his company rents to local businesses, unlike Clear Channel, and stated he would not be able to compete with them.

Mr. Dave O'Donnell, Southwest Advertising, stated that his company owns approximately 55 "junior" billboards in El Paso and explained he had been in the advertising business in El Paso for 15 years and that this Ordinance would destroy his company. He stated he wanted to stay in El Paso and to continue his business; however, he would have to leave El Paso if his company could not continue to grow.

Mr. Hoover responded that his current account list was over 80% of local businesses and added Clear Channel was not just a national company.

Mayor Raymond C. Caballero explained that this Council Administration was diligently working toward rendering a fair decision. Due to Representative Medina's absence, he requested Representative Cook to state the Ordinance modifications.

Ms. Lisa Turner, citizen, noted the following observations: 1. the Ordinance would not reduce the number of billboards; and 2. the Ordinance would cement Clear Channel's dominance of the billboard market, as Clear Channel owned 93% of billboards in El Paso. She asked Council Members to address the issue of Clear Channel's dominance of the billboard market as this affects the smaller local billboard company's ability to maintain any type of competitiveness.

Representative Cook read the individual Representative's modifications and noted that Representative Medina had requested not to allow any signage on Airway Blvd.

Representative Sumrall moved to prohibit all new billboards, there was no second; therefore, Representative Sumrall's motion to prohibit all new billboards was denied.

Representative Sumrall moved to not allow for the "Retroactive" provision, Representative Power seconded.

AYES: Representatives Sumrall, Rodriguez, Power and Escobar
NAYS: Representatives Cook, Sariñana and Cobos
ABSENT: Representative Medina

Motion was approved.

Representative Sumrall moved to increase the set back from residential districts to 500 feet, Representative Rodriguez seconded.

AYES: Representatives Sumrall and Rodriguez
NAYS: Representatives Cook, Power, Escobar, Sariñana and Cobos
ABSENT: Representative Medina

Motion did not pass.

Representative Sumrall moved to increase the spacing from Historic Districts, schools and hospitals to 1,000 feet, Representative Rodriguez seconded.

AYES: Representatives Sumrall and Rodriguez
NAYS: Representatives Cook, Power, Escobar, Sariñana and Cobos
ABSENT: Representative Medina

Motion did not pass.

Representative Sariñana moved to “Junior Sized” billboards in Commercial (C-1) Districts, Representative Cobos seconded.

Ms. Veronica Rosales, Planning Department, interrupted and stated that the Planning Department recommended not opening this up to C-1 as the BZAC would be reducing the total number of zoning districts. She noted that one new district proposed to be created would be the “Neighborhood Commercial” (NC) Zoning District, which would be comparable to the C-1; however, not in all instances. She explained that BZAC would be presenting Council Members the whole entire rewritten Ordinance possibly in December, to include the new zoning districts. Representative Sariñana left the motion open for a vote, as did Representative Cobos.

AYES: Representatives Sariñana and Cobos
NAYS: Representatives Sumrall, Rodriguez, Cook, Power and Escobar
ABSENT: Representative Medina

Motion did not pass.

Representative Power moved to increase the set back for “Junior” billboards from residential districts to 100 feet, Representative Rodriguez seconded.

AYES: Representatives Rodriguez, Power, Escobar and Sariñana
NAYS: Representatives Sumrall, Cook and Cobos
ABSENT: Representative Medina

Motion was approved.

Representative Rodriguez moved to increase the setback of other billboards from residential areas to 350 feet, Representative Sumrall seconded.

AYES: Representatives Sumrall, Rodriguez, Power and Escobar
NAYS: Representatives Cook, Sariñana and Cobos
ABSENT: Representative Medina

Motion was approved.

Representative Cook moved not to allow billboards on Airway Boulevard to include the recommendation from the BZAC allowing signage from Montana to the Freeway, Representative Sumrall seconded.

AYES: Representatives Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None
ABSENT: Representative Medina

Motion was approved.

AYES: Representatives Cook, Power, Escobar, Sariñana and Cobos
NAYS: Representatives Sumrall and Rodriguez
ABSENT: Representative Medina

Mr. Williams asked that the date be changed from "June 25, 2002" to "July 2, 2002" as stated in the Ordinance. Representative Cook accepted the amendment, Representative Sumrall seconded.

Motion duly made by Representative Cook, seconded by Representative Sariñana that the Ordinance be adopted, as amended with changes and modifications. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Representative Medina

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING EL PASO HIGH SCHOOL CLASS OF 1982 TO USE A PORTION OF MADELINE PARK FROM 10:00 AM UNTIL 4:00 PM ON JULY 7, 2002**

Motion duly made by Representative Sumrall, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Representative Medina

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE CENTRAL BUSINESS ASSOCIATION OF EL PASO, INC., TO PERMIT TEMPORARY SIDEWALK CLOSING FOR PARTICIPATING MERCHANTS WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY IN DOWNTOWN EL PASO FROM JULY 3, 2002 THROUGH JULY 3, 2003**

Mr. Rudy Valdez, Planning Department, noted a correction to the Ordinance and explained that the Ordinance would grant a Special Privilege to the Central Business Association to permit sidewalk vending within the public right-of-ways in South El Paso. He explained that new standards within the Ordinance would improve the appearance of the sidewalk vending locations, such as, required skirting around the vending tables, plot plans must be submitted by each merchant, advertising would be permitted by the vendors at a minimal cost, and other various appearance improvements.

Representative Sariñana questioned the need of the plot plan(s).

Mr. Valdez explained that the plot plan would indicate the location(s) of the vending area(s).

Representative Cobos thanked Mr. Valdez, Ms. Patricia Adauto, Director of Planning, Mr. Terry Williams, Deputy Director of Building Services, Ms. Cindy Crosby, Assistant City Attorney, and members of the Central Business Association for preparing the documents and coming to an agreement.

Mr. Michael E. Breitinger, Executive Director of the El Paso Central Business Association/El Paso Downtown Management District, thanked City Council and Mayor, specifically Representative Cobos, for their assistance, Mr. Chuck Berry, Texas Department of Transportation, State Representative Joe Pickett for all his help, City Attorney's office and Ms. Adauto, as this would benefit the community tremendously.

Mayor Raymond C. Caballero questioned what area the Special Privilege would entail.

Mr. Valdez responded that the area included both the north and south sides of Paisano to include South El Paso, Stanton, and a portion of Mesa as primary locations.

Motion duly made by Representative Cobos, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: Representative Medina

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15141

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE PERMITTING JUAN C. BRUN TO ENCROACH ONTO A PORTION OF PUBLIC RIGHT-OF-WAY WITH A FOOD-VENDING CONCESSION IN THE DOWNTOWN AREA**

Representative Sumrall questioned whether this Ordinance was a part of the above Ordinance.

Mr. Rudy Valdez, Planning Department, stated the Ordinance was a part of the same lottery Council Members participated in March, 2002.

Motion duly made by Representative Cobos, seconded by Representative Sumrall, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Representative Medina

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15142

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.200 (SCHEDULE XVII--RESTRICTIONS ON PARKING IN RESIDENTIAL DISTRICTS), OF THE EL PASO MUNICIPAL CODE, TO ADD ZONE E: LOUISIANA STREET BETWEEN MCKELLIGON ROAD AND PIERCE AVENUE, BOTH SIDES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION--PENALTY) OF THE EL PASO MUNICIPAL CODE.**

Representative Cook questioned Mr. Ted Marquez, Traffic Engineer Division Manager– Engineering, as to whether this area would be receiving special “Neighborhood Permits”.

Mr. Marquez responded that the area was residential, not encroaching onto commercial properties. He explained that the Ordinance created the “Residential Parking District” to allow the neighbors to acquire the necessary parking permits.

Motion duly made by Representative Rodriguez, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Representative Medina

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15143

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.180 (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS) AMENDING PARAGRAPH (B) (15) TO RESERVE PARKING FOR THE PROBATION DEPARTMENT AND PARAGRAPH (B) (21) TO RESERVE PARKING FOR LAW ENFORCEMENT VEHICLES WITH PRISONERS LOADING AND UNLOADING ONLY. THE PENALTY BEING AS PROVIDED IN SECTION 12.48.010 OF THE EL PASO MUNICIPAL CODE.**

There being no public comment, the vote was taken.

Motion duly made by Representative Sumrall, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Representative Medina

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone two (2) weeks the public hearing to determine if the Council Resolution of May 14, 2002, for the property located at 4806 Atlas Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owner(s) of this property, The Estate of Leopoldo Mimbela, 10443 Triumph Drive, El Paso, TX 79925 has been notified of the violations at this property.

NOTE:
Public Hearing was revised to read: Public hearing to determine if the Council Resolution of May 14, 2002, for the property located at 4806 Atlas Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owner(s) of this property, The Estate of Leopoldo Mimbela, 10443 Triumph Drive, El Paso, TX 79925 has been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of May 7, 2002, for the property located at 349 Maricela Drive, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owner of this property, Elvira Dora Valenzuela, 349 Maricela Drive, El Paso, TX 79915, has been notified of the violations at this property.

NOTE:
Public Hearing was revised to read: Public hearing to determine if the Council Resolution of May 7, 2002, for the property located at 349 Maricela Drive, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owner of this property, Elvira Dora Valenzuela, 349 Maricela Drive, El Paso, TX 79915, has been notified of the violations at this property.

.....
No action was taken regarding the Proposal to Mayor and Council that in spite of the legal status of separation between Church and State that a sincere and true desire be acknowledged for opening a Prayer Room within the City Hall building accessible to all in God's will for Jesus Christ. (Jesus M. Acosta)

Representative Sariñana thought the idea was excellent and wondered whether the City might look into this request further.

Mr. Jesus M. Acosta, citizen, asked City Council Members to consider a Prayer Room.

Mayor Raymond C. Caballero thanked Mr. Acosta and stated that there exist constraints that would not allow for such a proposal.

Ms. Rita Rodriguez, City Attorney, stated that as per the U. S. and Texas Constitutions, the City could not utilize tax dollars for such a facility and/or endorse any religion.

.....
No action was taken regarding the discussion on American Civil Liberties Union. (Anita Blair)

Ms. Anita Blair, citizen, made remarks regarding County Judge Dolores Briones, Father John Stowe of Our Lady of Mount Carmel and EPISO located at 7430 Alameda. She asked that City Council Members write to the ACLU of Texas, P. O. Box 3629, Austin, TX 78764 to protect our election process.

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to delete the discussion on Southern Union Gas rate request. (Lisa Turner)

Representative Escobar was not present for the vote.

Motion made by Representative Power, seconded by Representative Cobos and unanimously carried to postpone one (1) week the discussion and action on a resolution to fund a survey of Fort Bliss personnel to determine what they would like to see in El Paso regarding quality of life issues, tourism venues, business opportunities, etc. and to have this study done through Economic Development Department. (Representative Power)

Representative Escobar was not present for the vote.

*Motion made, seconded and unanimously carried to postpone one (1) week the discussion and action on ordinance creating a Mayor's Committee on Veterans and Military Affairs. (Representative Power)

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to conduct a feasibility study and to include an implementation plan on the Old El Paso Heritage Tourism project. (Representative Power)

Representative Power explained that in March of 2002, the Economic Development Department had been tasked to produce a Request for Proposal (RFP) to develop an "Old West Town". He noted that Ms. Kristi Borden, head of Economic Development, had created a Committee of individuals and held meetings to discuss and develop the concept to reality.

Ms. Kristi Borden, Economic Development Department, presented Council Members with a PowerPoint presentation that elaborated on the concept of the Old West Town and a draft of the scope for the feasibility study for the project.

Representative Power noted that the Old West Town concept had been in various stages of development for many years. He thanked Ms. Borden and her staff for their very hard work and effort in compiling the information for Council Members. He noted that a recommendation was made by member's of the industry to conduct a feasibility study in order to strengthen the responses for the RFP. He asked Mr. Bill Chapman, Chief Financial Officer, how much money was set aside for tourism related projects. He moved that the support for the Economic Development Department to conduct a feasibility study include sight assessment, attraction type, attraction content, patronage and revenue funding. Representative Sumrall seconded.

Representative Sumrall asked whether the Economic Development Department would hire a professional consultant to conduct the feasibility study.

Representative Power responded that a list of consultants was prepared of which one firm would be selected to conduct such feasibility study.

Representative Cook requested that an "implementation plan" be included in the feasibility study.

Representative Power amended his motion to include Representative Cook recommendation, Representative Sumrall amended her second.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance permitting Lourdes Juarez to use a portion of Eastwood Album Park from 4:00 PM until 8:00 PM on July 20, 2002, for a birthday party. Fee: \$130.00
- B. An Ordinance permitting Westside Community Church to use a portion of Park Hills Park from 5:00 PM until 9:00 PM on July 19, 2002, for a BBQ. Fee: \$60.00
- C. An Ordinance permitting Westside Community Church to use a portion of Frank Delgado Park 12:00 PM until 5:00 PM on October 5, 2002 for a back to school bash. Fee: \$70.00
- D. An Ordinance repealing Ordinance No. 15094 which amended Ordinance 8064 (The Classification and Compensation Plan) by revising the class of Human Resources Payroll and Records Officer.
- E. An Ordinance amending Ordinance No. 8064 (The Classification and Compensation Plan) to revise the class of Personnel Payroll and Records Supervisor and change the title to Human Resources Payroll and Records Officer.
- F. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.08 (Administration and Enforcement), to delete Section 12.08.130 (Meter Maids), and Chapter 12.56 (Parking Meters), Section 12.56.010 (Designation-Use) to amend authority of Traffic Engineer to establish location of Metered Parking Spaces, amending applicability of funds; granting authority to Deputy Director of Street Department to install and maintain Parking Meters and set Parking Fees; amend exemptions; provide for use of Parking Meter Fee Debit Card; and Chapter 12.88 (Schedules), Section 12.88.130 (Schedule XI—Parking Meter Zones) to eliminate established Zones and Exemptions.

PUBLIC HEARING WILL BE HELD ON JULY 16, 2002 FOR ITEMS A - F

- G. An Ordinance changing the zoning of a portion of Lots 1 & 2, Block 8, HUECO VIEW ACRES, El Paso, El Paso County, Texas (Saul Kleinfeld Drive and Pratt Avenue) from R-3 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Word of Life Church / Representative: Roe Engineering, L.C., 601 N. Cotton, Suite 6, El Paso, TX. 79902. ZC-02015
- H. An Ordinance changing the zoning of a portion of Tract 10, Section 9, Block 81, Township 2, T & PRR SURVEYS, El Paso, El Paso County, Texas (4700 Block of Hondo Pass) from A-M (Apartment-Mobile Home Park) to C-2 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Grace Roller, formally known as Grace M. Chenault, Individually and as Trustee in Trust of the Wells-Belew Trust, dated 6/28/71/ Representative: Roe Engineering, L.C., 601 N. Cotton, Suite 6, El Paso, TX. 79902. ZC-02020

PUBLIC HEARING WILL BE HELD ON JULY 23, 2002 FOR ITEMS G - H

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Motion made, seconded and unanimously carried to accept the Review of Third Quarterly Report from Chief Financial Officer.

Mr. Bill Chapman, Chief Financial Officer, provided Council Members with a review of the third quarterly report. He provided documents to Council Members regarding the sales tax revenue and bridge revenues and further elaborated on such documents.

Mayor Raymond C. Caballero asked the Comptroller of Texas as to why El Paso's economy would switch from being down one month before to a 10.5 % increase the next month. The Comptroller responded the numbers were legitimate and commended El Paso's economy for the increase.

Mr. Chapman noted that some Texas cities' economies were lower at this time; however, some were higher. He noted that pedestrian traffic revenue was up at the downtown bridges; however, vehicle traffic was down 30% year-to-date. He noted that vehicle traffic was down approximately 800,000 vehicles between Zaragosa and the downtown bridges, year-to-date. He explained possible factors for the decrease in vehicle traffic as the September 11th event of last year, the economies on both sides of the border, and the difficulties experienced by drivers crossing the bridges.

Representative Sariñana questioned raising the toll fees for the bridges.

Mayor Caballero responded that the issue of whether or not to raise the toll fees at the bridges would be discussed during the budget hearings. He asked what would it take to pass more individuals in fewer vehicles and what action would the City need to take in order to allow more cargo to proceed in fewer vehicles. He proposed that no cargo, vehicle or pedestrian should wait more than 15 to 20 minutes and asked that the City take the necessary measures to ensure the proposition take effect.

Mr. Chapman explained that the City's revenues were down due to sales tax and bridge revenues and projected the total to be down \$3.2 million dollars. He noted the projected expenditures to be approximately \$1.5 million under budget. He noted that this was the first year, in approximately five years, that the City had a positive cash balance due to the actions of this administration.

Mayor Caballero thanked the community for supporting the administration and noted that the administration would be diligently trying to provide more service(s) for their tax dollars. He invited the public to attend the upcoming budget hearing meetings.

Representative Cobos proposed holding the budget hearing meetings in the evening to allow for more individuals of the public to attend.

Representative Cook agreed with the proposal regarding holding the budget hearing meetings in the evening and requested that parking be free in the City Hall parking lot area.

Mr. Chapman responded that the City had previously conducted budget hearings in the evening to which very few public members attended; however, he was agreeable to holding the meetings in the evening.

Mr. Charlie McNabb, Chief Administrative Officer, remarked that the most popular departments would be grouped together to allow for maximum public input, such as the Parks & Recreation Department.

.....

ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Chief of Police be authorized to accept the donation of cellular telephones to be used within the disabled-parking enforcement program in the event that a disabled-parking enforcement volunteer needs to call the 9-1-1 emergency telephone number. The Chief or his designee shall determine the appropriateness of each cellular telephone offered for donation and accept those cellular telephones that are needed and can be used for the purpose stated herein. The Chief or his designee shall for each fiscal year, compile a list of all persons or entities who donate cellular telephones.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Contract by and between the CITY OF EL PASO and SERVICE SYSTEMS ASSOCIATES to provide for the installation and operation at the El Paso Zoo of a carousel and coin-operated rides.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**WASHINGTON PARK SENIOR CENTER
DEPARTMENT ID: 51510206, ACCOUNT 502214**

1. CONTRACTOR: Norma Hernandez, Ceramics Instructor
DATES: September 9, 2002 thru August 25, 2003
RATE PER CL: \$39.50
MAXIMUM AMT: \$1,896.00
CONTRACT: 2002/2003-001

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and JAMES R. NELSON as a Geographic Information Systems Specialist, for the Information Technology Department at a biweekly rate of \$1,582.46, for 40 hours per week. The term of the contract shall be for the period of July 7, 2002 through July 6, 2004.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **IVONNE GARCIA** to assist the El Paso Public Library with youth and children's programming during the Summer Reading Program, shelving library materials, and working the circulation desk at an hourly rate of \$8.57 for 40 hours per week. The term of the contract shall be for the period of July 3, 2002 through August 29, 2002.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **RICK PARRA**, to present an Art Workshop for the El Paso Public Library's Summer Reading Club/Teen Hangout Program at the Armijo Branch Library on Saturday, July 6, 2002, from 1:00 p.m. to 3:00 p.m. The total amount of the contract shall not exceed \$80.00.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **GEORGE PEEL** as an Airframe and Powerplant Mechanic for the Police Department's Air Support Unit for the period of July 3, 2002 through July 2, 2004 at the rate of \$32.32 per hour. The amount of contract shall not exceed \$42,016.20 per year.

*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID 1993-999-2017-0034, \$270.12 per month installments on a balance of \$2,701.20 for 1997, 1998, 1999 & 2000 taxes; Integrated Systems Group, c/o Jaime Solorza – 120 Carolina.
- B. PID #T810-999-0030-9600, \$220.97 per month installments on a balance of \$2,651.64 for 2001 taxes; Argelia Ortega – 9537 Japonica St.
- C. PID #C340-999-0460-4500, \$2,600.09 per month installments on a balance of \$5,200.18 for 2000 & 2001 taxes; Francisco R. & Perla S. Coronel – 7032 Villa Hermosa.
- D. PID #0826-999-0822-0050, \$332.02 per month installments on a balance of \$2,656.16 for 1998, 1999, 2000 & 2001 taxes; Juan Castaneda – 12400 Rojas #196.
- E. PID #L595-000-0030-1000, \$342.05 per month installments on a balance of \$2,052.30 per month installments for 2001 taxes; Gerardo & Norma Padilla – 4800 Betts.
- F. PID #0818-999-0018-0034, \$97.41 per month installments on a balance of \$2,337.84 for 2001 taxes; El Mercado de Mayoreo c/o Francisco X. Magana – 503 Stanton.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

- A. Maria Rosa Villamil, et. al. vs. The City of El Paso, et. al., Cause No. EP-01-CA-0384-EP-DB, Our File No. 01-S-53 (551.071)
- B. Acquisition of real property for park located in Ranchos del Sol #2.(551.072)

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
Motion made by Representative Sariñana, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the lawsuit entitled **MARIA ROSA VILLAMIL, et al. vs. CITY OF EL PASO, et al; Cause No. EP-01-CA-0384-DB; Our File No. 01-S-53**, as recommended by the City Attorney.

Mayor Raymond C. Caballero and Representatives Medina and Escobar were not present for the Executive Session Motion readings.

.....
Motion made by Representative Sariñana, seconded by Representative Cook and carried that the Parks Director's exercise of the City's option to purchase real property for a park located in Ranchos Del Sol on July 31, 2000 is hereby ratified; and that the Mayor be authorized to sign a Contract for Professional Appraisal Services to establish the value of the property owned by Danielson Partners, Ltd. and Industrial Loop 375 Joint Venture for a park located in Ranchos Del Sol.

The motion failed due to the tie vote.

Representatives Sumrall, Representative Sariñana and Representative Cobos voted Nay.
Representative Rodriguez, Representative Cook, Representative Power voted Aye.

Mayor Raymond C. Caballero and Representatives Medina and Escobar were not present for the Executive Session Motion readings.

.....
Motion made by Representative Cobos, seconded by Representative Power and unanimously carried to adjourn this meeting at 12:20 p.m.

.....
APPROVED AS TO CONTENT: APPROVED AS TO FORM:


Richarda Duffy Momsen, City Clerk


Rita Rodriguez, City Attorney